

1 KEVIN E. CADWELL (SBN 255794)
kcadwell@kelleydrye.com
2 KELLEY DRYE & WARREN LLP
10100 Santa Monica Blvd.
3 Twenty-Third Floor
Los Angeles, CA 90067
4 Telephone: (310) 712-6100
Facsimile: (310) 712-6199

5 Attorneys for Plaintiffs
6 eXelate, Inc. and Gracenote, Inc.

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10

11 EXELATE, INC., and
12 GRACENOTE, INC.

13 Plaintiffs,

14 v.

15 FREE STREAM MEDIA CORP.
d/b/a SAMBA TV,

16 Defendant.
17
18
19
20
21
22
23
24
25
26
27
28

Case No. 4:19-cv-03409-JSW

**NOTICE OF VOLUNTARY
DISMISSAL**

Judge: Hon. Jeffrey S. White

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), plaintiffs eXelate, Inc. and
2 Gracenote, Inc. hereby voluntarily dismiss their claims against defendant Free Stream Media
3 Corp. d/b/a Samba TV. Rule 41(a)(1)(A)(i) allows the plaintiff to dismiss a complaint without
4 order of court if the opposing party has neither filed an answer nor a motion for summary
5 judgement. Samba TV has not answered or moved for summary judgment. Accordingly,
6 dismissal under Rule 41(a)(1)(A)(i) is appropriate.

7
8 Dated: August 30, 2019

Respectfully submitted,

9
10 KELLEY DRYE & WARREN LLP

11
12 By: /s/ Kevin E. Cadwell
KEVIN E. CADWELL

13 *Attorney for Plaintiffs,*
14 eXelate, Inc. and Gracenote, Inc.